

11/22

U. S. BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

ROANOKE CALENDAR - DECEMBER 2, 2002

(The Honorable William F. Stone, Jr. Presiding)

(Start: _____ Recess: _____ ♦ Resume: _____ Stop: _____ ♦ Trials: _____ Proceedings _____)

Attys:

Debtors:

Case Nos.:

Trustees:

9:30 A. M. CHAPTER 13 CONFIRMATIONS

T Giles

RICHARD & BONNIE PETTY

7-02-02891

Connelly/VS

Mod Plan #1 filed 11/1; d/e # 22, 23, SET ON 12/16 @ 9:30 #22, 23

Trustee Showcause; dismiss/convert, filed 8/27; d/e # 15, 21 *contd from 10/7*

M. Hart

ANTOINETTE HARBOR - Ch. 13

7-01-01799

Connelly/S

Mod Plan filed 8/7; d/e # 62, 63 *contd from 9/23 & 10/21 & 11/4*

Motion of Trustee to Dismiss/Convert contd by ord of 9/5, d/e # 66 to hear w/plan

–CONFIRMED BY ORDER OF 11/20; HRG CANCELLED

Delafield

JAMES TUCKER-ch13

7-02-03684

Connelly/AF

Mod Plan filed 10/18; d/e # 17

Trustee Showcause: Dismiss/convert, filed 10/16; d/e # 16, contd from 11/18

Krippend.

RITA MILLER-ch13

7-02-03666

Connelly/JJ

***AMENDED PLAN FILED 11/8; SET FOR 1/13/@9:30 filed with
certification that Heilig-Meyers (served) was only creditor affected by modif.***

Debtor's Objection to Claim # 3 of First Va. Bank-Southwest in the
amount of \$1,894.09 [d/e # 22,23,24] cert. of serv. filed 10/29 [d/e # 27]

9:30 A. M. CHAPTER 13 CONFIRMATIONS

Krippend. MICHAEL PRESTON 7-00-01286 Connelly/JJ
Mod Plan filed 10/10; d/e # 33, 34
Fur. Mod Plan filed 11/8, d/e # 37, 38, SET FOR CONF 1/13 @ 9:30
Trustee Motion to convert/dismiss & Response of Debtor *contd from 10/21* [#31, 32, 35]

Mayer THOMAS & SHERRY SUMMAR-chl3 7-02-03048 Connelly/AF
Mod. Plan filed 10/15 [d/e # 20, 21]
Trustee Report showcause on dismissal or conversion, filed 9/5; d/e # 17, *contd fr 10/21*

Krippend. SHANA FRANKLIN 7-01-05045 Connelly/SL
Mod Plan filed 10/11; d/e # 46, 47 (*spouse case bifurcated #7-02-04342 to Ch. 7*)

Foster MICHAEL KAUFMAN - Ch. 13 7-02-02727 Connelly/NS
Mod Plan filed 8/28, d/e # 19, 20; *contd from 10/21 **
Trustee's Report, Objection & Show Cause:Dismiss or Convert [d/e # 17]
**contd to amend pet. to reflect prior bkcy filings*

Krippendorf BOBBY HARPER-chl3 7-02-01875 Connelly/SL
*contd from 10/21 – mod. Plan TO BE FILED won't effect other creditors***
*****mod plan was filed 11/1 and scheduled 12/16 @ 9:30***

Obj to Claim #4 of Wells Fargo Bank of MN filed 7/15, d/e # 40 - *contd fr 9/9 d/e #59,71*
Response filed 9/9; d/e # 56 (Clarke/CALLAHAN)

-see also Mot. To Compel scheduled at 11:00 a.m. ref. Obj to Claim #4

9:30 A. M. CHAPTER 13 CONFIRMATIONS

Delafield	DWIGHT CARTER, JR. - Ch. 13 Plan 9/18; d/e # 11 Trustee's Report w/Objection & Show Cause for Dismissal/Conversion [d/e # 15] Objection: First Va. Bank SW (Hathaway) filed 11/20; d/e # 17	7-02-03737	Connelly/NS
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Ludwig	EDDIE ANTOINE, III - Ch. 13 Plan filed 9/25; d/e # 9 Trustee's Report w/Objection & Show Cause for Dismissal/Conversion [d/e # 13]	7-02-03849	Connelly/S
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M. Hart	WILLIAM BALL, JR. - Ch. 13 Plan filed 9/24, d/e # 6 Trustee's Report w/Objection & Show Cause for Dismissal/Conversion [d/e # 14]	7-02-03930	Connelly/PR
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M Giles	PHILLIP DARBY Mod Plan filed 10/11; d/e # 34, 35, 36	7-02-00634	Connelly/VS
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9:30 A. M. - MISCELLANEOUS HEARINGS

Delafield	LISA WALLER-ch13 Motion of debtor's counsel for Distribution, filed 10/31; d/e # 44 (<i>see also d/e # 43?</i>) - ORDER of 11/27 resolved motion _____	7-02-02299	Connelly/S
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11:00 A. M. - MISCELLANEOUS HEARINGS

Krippendorf	BOBBY HARPER-chl3	7-02-01875	Connelly/SL
	Motion of Debtor to Compel re: Wells Fargo Bank Minnesota re: Objection to Claim #4 – <i>see above at 9:30 a.m.</i>		
Delafield	SANDRA WYATT-chl3	7-99-04089	Connelly/AF
	Motion for fees/expenses of counsel for debtor in amt of \$310.00 , filed 11/8; d/e # 31-34		
Krippendorf	DANNY UPDIKE - Ch. 13	7-02-03467	Connelly/NS
	Motion #1: Avoid lien filed 10/16; d/e # 18, 19, 20		
	Debtor v. Carilion Medical Center		
	–Order avoiding lien entered 11/14 [d/e # 25]		
Creasy	JOHN & DREAMA CANTY-	7-99-01985	Connelly/SL
	Trustee Motion to Dismiss or Convert filed 5/29; d/e # 81 & # 87		
	<i>(Heard debtor testimony on 8/26; contd from 9/9 to monitor pmt to tr)</i>		
T. Giles	JAYE & DEBORAH JONES - Ch. 13	7-01-01492	Connelly/SJ
	Trustee's Motion to Dismiss Case [d/e # 40] <i>contd from 9/9</i>		
M. Hart	MARGARET ROSS - Ch. 13	7-02-03194	Connelly/S
	Motion # 1: Avoid lien filed 10/29 [d/e # 22, 23]		
	Debtor v. Carilion Medical Center () & Trustee		

Roanoke Calendar - 12/2/02

11:00 A. M. - MISCELLANEOUS HEARINGS

M. Giles	SAMUEL & WANDA JENNINGS - Ch. 13 Motion # 1: Relief filed 8/2 [d/e # 38] EQCC Home Equity 2001-02 (Goldberg/Callahan) v. Debtors RESPONSE filed by Debtors 8/13 [d/e # 42] <i>-proposed order in motion file ; contd from 8/26 & 9/23 & 11/4 [d/e # 49]</i>	7-01-03469	Connelly/JJ
Krippend.	KEVIN & PEGGY SPARKS-ch13 Motion #2: Relief - filed 10/2, d/e # 53, 55 <i>contd from 11/4</i> Countrywide Home Loans (Mark Domeyer: adm/VSB) V. Debtors & trustee <u>Response filed 10/10; d/e # 56 (Janney)</u>	7-01-01519	Connelly/VS
Delafield	RONALD ROBBINS - Ch. 13 Motion # 1: Relief-filed 10/21 [d/e # 57] <i>contd from 11/4</i> Wells Fargo Bank Minnesota (Goldberg) v. Debtor <u>-Response filed 10/31</u>	7-02-01774	Connelly/NS
Delafield	LILLIAN KING-ch13 Motion of debtor's counsel for compensation of \$686.88 filed 11/1; d/e # 74; 75, 76, 77 <i>(Order of 11/7 directed Debtor that arrearage must be cured & account brought current or case to be dismissed upon Trustee's Notice of Default absent response from the Debtor) [d/e # 78]</i>	7-01-03419	Connelly/VS
Pro se	APRIL JENNINGS-ch7 Motion of Trustee for Order directing pro-rata amount of debtors' 2002 tax refund be turned over to trustee, filed 11/1; d/e # 15	7-02-03697	McLean/NS
Delafield	EVELYN RAMEY-chgl3 Motion #1 : Relief - filed 11/5; d/e # 32, 33 JP Morgan Chase Bank fka The Chase Manhattan Bank (Stark) v. debtor & trustee <u>Answer filed 11/18, d./e # 34</u> <u>Movant exhibits filed 11/27; d/e # 35</u>	7-002-01403	Connelly/PR
Roanoke Calendar - 12/2/02			

11:00 A. M. - MISCELLANEOUS HEARINGS

Ludwig	SIDNEY & TONYA JACKSONI-chl3 Obj to Claim #1 of Southward Realty in amt of \$1,322.50 filed by debtors 10/23; d/e # 24, 27	7-02-03116	Connelly/JJ
T Giles	DENNIS & ANDREA HAWLEY-chl3 Motion #1: Relief - filed 11/8; d/e # 45, 46 AmeriCredit Financial Services (Epps) v. debtors & trustee –ORDER of 11/20 granted relief (agreed)	7-01-04671	Connelly/VS
M Hart	TERESA HONAKER Motion #1: Motion to sale r/e; sale allowed at 11/18 hrg. Debtor v. Capital One Bank (); Community Hosp of Rke Valley() Carilion Medical Ctr(); Rke Mem. Hosp(); Gill Mem.EENT() <i>–hrg on distribution of remaining sale proceeds</i>	7-01-04430	Connelly/VS

11:30 A. M. - MISCELLANEOUS

H Brown	CURTIS & VIVIAN MOORE Motion of Trustee for Turnover Order filed 9/25; d/e #28 <i>CONTD FR 11/4</i> (Seeking sum of 2001 fed/state tax and husband's life insurance proceeds)	7-01-05372	Krippend/SJ
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1:45 P.M. - TELEPHONE (PRETRIAL) CONFERENCE IN CHAMBERS

Creasy	AMERICAN APPRAISAL GROUP A/P 7-02-00102: Object to or revoke a discharge Evie & Robert Shura (Nixon) v. American Appraisal Group, Inc. (Creasy) –ORDER of 10/17 dismissed AP with prejudice	7-02-01762	Allen/S
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2:00 P.M. - MISCELLANEOUS

Proctor	CHARLOTTE DAVIS-ch7	7-02-03367	Krippend/NS
	Trustee Obj to Claim of Exemptions filed 10/18; d/e # 14		
Bowman	RONALD & SHIRLEY HARRISON	7-02-02221	Connelly/VS
	Obj to Claim #24: Household Va., filed 10/4; d/e # 30		
	<i>—conf was set on 10/7</i>		

M Black	ROLAND MACHER	7-00-03659	DIP/SL
	Order to showcause why case should not dismiss or convert if debtor fails to		
	File signed 1999 income tax returns within 30 days of order of 9/5, d/e # 160, 165		
	<i>—contd from 10/21 for status; plan due 11/18.</i>		
	<i>—see copy of faxed letter from counsel for debtor; reference certification</i>		
	<i>pursuant to court's 11/7 order that IRS has received information sufficient to determine</i>		
	<i>extent of debtor's saleable businesses & assets and canceling showcause hearing</i>		
Delafield	ROLAYNE WILLIAMS - Ch. 7	7-02-03863	Krippendorf/VS-G
	Trustee's Objection to Claim of Exemptions [d/e # 16]		
P. Brown	HENRY CULLUM - Ch. 7	7-01-04790	McLean/LM
	Debtor's Motion to Convert from Ch 7 to Ch 13 (Reconversion) [d/e # 46]		
	Motion #3: Relief - d/e # 47 48		
	Conseco Finance Corp (McQuiddy) v. debtor & trustee		
M Hart	KIM BRAMMER-ch7	7-00-00145	Krippend/SL
	Objection of Trustee to Claim of Exemptions filed 9/25; d/e # 65 <i>contd fr 11/4</i>		

2:00 P.M. - MISCELLANEOUS

P Brown KENAN & ANGELIA LATIMER-ch7 7-02-00549 Krippend/S
Motion of Trustee to Dismiss case filed 9/13; d/e # 26 *contd fr 11/4*

Delafield* LUCILLE HOLLAND-ch7 7-01-05369 Creasy/JJ
Motion of Trustee for Order requiring debtor and/or Dinah Fultz (S.Higgs)
to pay remaining unpaid purchase money in sum of \$9,200 to Trustee for benefit of
estate, filed 7/9, d/e 30; –Amended motion filed 7/10; d/e # 31, 38
** D. Stark filed Notice of Appearance in Contested Matter only to represent debtor*
–preliminary hearing with pre-trial of AP below

A/P 7-02-00159: Rescind deed; **pre-trial conference**
Debtor (Stark *) v. Dinah F. Fultz (); Roy V. Creasy Trustee in
Bankruptcy (); John M. Mercer, d/t Trustee (); Robert D.
Perrow d/t Trustee (); and America's Moneyline, Inc ()
** D. Stark filed Notice of Appearance in Contested Matter only to represent debtor*

M. Giles GREGORY HUDDLESTON - Ch. 7 7-02-03990 Creasy/LM
Motion # 1: Relief–filed 11/4 [d/e # 14]
DaimlerChrysler Services, North America, LLC (Higgs) v. Debtor & Trustee
--ORDER (agreed) entered 11/14 granting relief

Motion # 1: Relief–filed 11/6 [d/e # 17]
JPMorgan Chase Bank (Maxwell) v. Debtor & Trustee
–ORDER (agreed) order entered 11/14 granted relief

M Giles CHARLES CHEWNING-ch7 7-02-03018 Vogel/AF
Motion #1: Relief - filed 11/6; d/e # 20, 21
Salem Bank & Trust NA (Stark) v. debtor & trustee
–ORDER of 11/21 (default) granted relief

M. Giles WILLIE, JR., & FRANCES HURT - Ch. 7 7-02-03247 Allen/NS
Motion # 1: Relief–filed 11/12 [d/e # 30]
UCFC Loan Trust 1997-C (Sasser) v. Debtor & Trustee

2:00 P.M. - MISCELLANEOUS

M. Giles	DONALD GREENWAY - Ch. 7	7-02-03827	Krippendorf/NS
	Motion # 1: Relief–filed 11/12 [d/e # 15]		
	Charter One Mortgage Corp. (Wade) v. Debtor & Trustee		
	<i>-movant certification filed 11/15</i>		

Krippend.	KENNETH DOOLEY-ch7	7-02-03932	McLean/SJ
	Motion #1: Relief - filed 11/15; d/e # 12		
	Bank of America Mortgage LLC (Zimm) v. debtor & trustee		
	<u>Response of debtor filed 11/21; d/e # 14</u>		

2:30 P. M. -TRIAL

M Hart/ Dickenson	PATRICIA MEDLIN-ch7	7-01-02120	Krippendorf
	A/P 7-01-00185: Recover money or property; (amended complaint)		
	Evelyn Krippendorf, Trustee (Krippendorf) v. Debtor (M Hart/Dickenson) and		
	Robert Edward Medlin (Neil McNally)		

–Reserve couple hours for trial